

Remarks/Arguments

Claim 7 is amended to correct the informality noted in paragraph 2 of the Office Action.

Reconsideration of the rejection of claim 7 under 35 USC 103 based on Bjorklund et al. in view of case law is respectfully requested for the following reasons. Applicant's invention relates to heat-resistant self drilling tapping screw proposed for drilling a stainless steel plate. Particularly, the drill part 4 is specified to be made of "a high-carbon chrome series stainless steel". To the contrary, Bjorklund et al aim at drilling a carbon steel plated and the whole screw including the drill part is made of "a 300 series stainless steel (austenitic steel)". Therefore, applicant's invention is different from the development by Bjorklund et al in purpose and fundamental constitution.

While the development described by Bjorklund et al is that in which the total drilling tapping screw is unitedly constituted by forging from 300 series stainless steel, applicant's invention is substantially different from that constituted unitedly by adhesion of different metals. 300 series stainless steel (austenitic steel) is a steel material which cannot be hardened by quenching. Accordingly, in the arrangement described by Bjorklund et al, the drill point of a drilling tapping screw constituted of single steel material cannot have a hardness enabling drilling to a steel plate. In short, in the development described by Bujorklund et al, it is enough that the drill point has a hardness which can drill a subject having a hardness of carbon steel and it does not fit to

a subject having a hardness of stainless steel. Furthermore, as described by Bjorklund et al, "the drill point is compressed transversely at a speed of 1 inch per minute" to increase the hardness of the drill point against 300 series stainless steel (austenitic steel) which cannot be quenched as described above. Such a hardening method is an experimental means and not an industrial means.

Thus, as the purpose of the development described by Bjorklund et al is to obtain a drill point having a hardness which can drill a carbon steel plate, Bjorklund et al do not describe "a drill part made of a high-carbon chrome series stainless steel which can be hardened by quenching" defined in Claim 7 of the instant application. Furthermore, Bjorklund et al do not include a definition of the steel type SUS-410J2 and its carbon content (JIS-G4051) of the drill part defined in Claim 7 of the instant application and numerical limitation of carbon content corresponding to S-35C (0.32 to 0.38) or carbon content corresponding to S-38C (0.35 to 0.4). In addition, specification of the corrosion-resisting stainless steel type of the screw shaft part containing the head part specified to be "ISO A-2-70 and A-4-70" set forth in Claim 7 of the instant is not disclosed by Bjorklund et al.

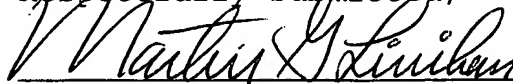
As explained above, Bjorklund et al do not disclose or suggest at all the constitutional features defined in Claim 7 of the instant application and the working effect based on those constitutional features.

For the reasons set forth above, claim 7 is believed

to patentably distinguish over Bjorklund et al within the meaning of 35 USC 103.

Favorable action on this application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Martin G. Linihan", written over a horizontal line.

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